

September 1, 2009

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Howard McNeill of Maple Springs Baptist Church of Seagrove gave the invocation, and everyone recited the Pledge of Allegiance.

Will Massie Named CFO of the Year

County Manager Richard Wells announced that on August 13th County Finance Officer/Assistant County Manager Will Massie was named the Triad Business Journal's first-ever "CFO of the Year" in the government category. Mr. Massie's comments in the article of the Triad Business Journal attributed his success to fellow co-workers. Mr. Massie thanked the Finance Department for all their hard work in helping him manage Randolph County's funds.

GFOA Certificate for FY 2008-2009

Will Massie, County Finance Officer, announced that Randolph County's Comprehensive Annual Financial Report has been awarded a Certificate of Achievement for Excellence in Financial Reporting for the 20th consecutive year by the Government Finance Officers Association (GFOA) of the United States and Canada. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke.

NCACC Annual Conference Report

Vice Chair Darrell Frye gave a report on the business meeting during the annual conference of the NC Association of County Commissioners (NCACC) held in August. He stated that the Association is in good shape financially and has agreed to reduce conference and membership fees. Commissioner Frye stated that Randolph County is one of the few original members of the Association's Risk Management Insurance Pool, which has provided a significant savings to the County over the years. He also stated that Governor Perdue spoke at the conference and pledged the return of 36 million dollars to counties for school construction that had previously been withheld.

Chairman Holmes reported that during the NCACC caucus meeting, Commissioner Frye was elected to represent District 11.

High Point MPO Meeting Report

Commissioner Frye attended the High Point MPO meeting and reported that with the shortage of State funds, "roads" have been split into an "immediate need list" and a "wish list." There were 25 projects on the "immediate need list." The number one project is improving Finch Farm Road from I-85 to Wheatmore High School.

Sandhills Mental Health Center Change

Chairman Holmes reported that he and Commissioner Frye had received notification of the resignation of Michael Watson, Executive Director of Sandhills Mental Health Center. Chairman

Holmes stated that Mr. Watson will be greatly missed, but in his new position with the NC Department of Health and Human Resources, Mr. Watson will likely be a great local advocate.

Change to Consent Agenda

Chairman Holmes announced the following addition to the Consent Agenda: Item *H. Appoint Laurel Dawson to Replace Bill Allred (who has resigned) to Adult Care Home Community Advisory Committee (1-yr. initial term).*

Approval of Consent Agenda

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes of Regular Meeting of August 3, 2009;*
- *reappoint Brian Moffitt, Stacey Senters and Hal Johnson to the Tourism Development Authority;*
- *reappoint Will Massie, Cheryl Ivey and Jane Leonard to the Randolph County Public Facilities Corporation;*
- *approve Budget Amendment # 2 for Historic Courthouse Renovation, as follows:*

2009-2010 BUDGET ORDINANCE		
General Fund—Amendment #2		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	<i>\$100,000</i>	
Appropriations	Increase	Decrease
<i>Public Buildings</i>	<i>\$100,000</i>	

- *adopt 2009 Proclamation Designating “Family Day—A Day to Eat Dinner with Your Children” on Monday, September 28, 2009, as follows:*

Family Day—A Day to Eat Dinner with Your Children
Monday, September 28, 2009

WHEREAS, the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children;

WHEREAS, 14 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs;

WHEREAS, frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse;

WHEREAS, the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented;

WHEREAS, parents who are engaged in their children's lives – through such activities as frequent family dinners – are less likely to have children who abuse substances;

WHEREAS, family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, the Randolph County Board of Commissioners hereby proclaim the fourth Monday of every September as

Family Day – A Day to Eat Dinner with Your Children™

and urge all citizens to recognize and participate in its observance.

- *appoint Laurel Dawson to replace Bill Allred (who has resigned) to Adult Care Home Community Advisory Committee (1-yr. initial term).*

Chairman Holmes read aloud the 2009 Proclamation Designating “Family Day—A Day to Eat Dinner with Your Children”

Change to New Business Agenda

Chairman Holmes announced the following addition to the Agenda: Item G. *Update on Randleman Ambulance Base—Richard Wells.*

Approve a Resolution Designating Recovery Zone and Advisory Committee Appointments

Bonnie Renfro, Randolph County Economic Development Corporation President, requested approval of a resolution designating all of Randolph County as a Recovery Zone, so that all areas of the county may potentially benefit from two new short-term financing programs. Randolph County has received allocations for two forms of debt financing: Recovery Zone Economic Development Bonds for public debt issued by the county or municipalities and Recovery Zone Facility Bonds for private debt issued to eligible private companies. Both bond programs offer a substantial boost in economic development financing. Randolph County’s allocations are

Recovery Zone Economic Development Bonds	\$7,247,000
Recovery Zone Facility Bonds	\$10,870,000

The Commissioners may reallocate the economic development bonds to municipalities for public infrastructure or facilities that promote development or economic activity, job training and education programs. Private facility bond projects would be approved through the Industrial Bond Authority. Bonds must be sold before January 1, 2011.

An area may be designated as a Recovery Zone based on criteria of economic distress including unemployment, significant poverty, and home foreclosures. Randolph County has sustained significant job loss, has an unemployment rate greater than the nation and state for two years, has a rising level of poverty rate that exceeds the national average, and the employment base is concentrated in manufacturing, a sector that is experiencing a national decline in employment. Given those findings, Ms. Renfro said that the Board is justified in designating the entire county as a Recovery Zone.

Ms. Renfro encouraged the Board to establish an advisory committee to evaluate potential economic development bond projects. The advisory committee would advise the Commissioners as they consider reallocations and approvals of bond projects. The Commissioners would define the role of the committee. Duties might include developing criteria to determine economic development impact, answering questions and providing information to the community, and to be the first point of contact for potential projects, among other services.

On motion of Kemp, seconded by Lanier, the Board voted unanimously to approve the Resolution Designating Recovery Zone Area(s) in Randolph, as follows:

**RESOLUTION DESIGNATING RANDOLPH COUNTY AS A RECOVERY ZONE PURSUANT TO THE
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

WHEREAS, the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) ("ARRA") modifies the Internal Revenue Code of 1986, as amended (the "Code") to authorize, among others, two new types of bonds entitled "Recovery Zone Economic Development Bonds" and "Recovery Zone Facility Bonds;" and

WHEREAS, Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds may be used to finance certain "qualified economic development purposes" and certain "Recovery zone property," generally for use within Recovery Zones; and

WHEREAS, a Recovery Zone is defined in Section 1400U-1 as: (i) any area designated by the issuer as having significant poverty, unemployment, rate of home foreclosures, or general distress; (ii) any area designated by the issuer as economically distressed by reason of closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (iii) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of the Act, which effective date is February 17, 2009; and

WHEREAS, the County of Randolph has been allocated \$7,247,000 in Recovery Zone Economic Development Bonds and \$10,870,000 in Recovery Zone Facility Bonds that can be issued through December 31, 2010; and

WHEREAS, qualified economic development purpose includes expenditures for the purpose of promoting development or other economic activity in a recovery zone, including capital expenditures for property located in the zone or expenditures for public infrastructure and construction of public facilities in the zone; and

WHEREAS, ARRA also authorizes a new type of federally tax exempt private activity bonds entitled "Recovery Zone Facility Bonds" in Sections 1400U-1 and 1400U-3 of the Code to finance construction, renovation, or acquisition of depreciable property by a private taxpayer of a qualified business in a recovery zone, with "qualified business" defined to include any trade or business other than residential rental property and certain prohibited uses outlined in the Code; and

WHEREAS, the June 2009 unemployment rate in Randolph County was 12.3% as compared to the State's rate of 11.2% and the National rate of 9.5%; and

WHEREAS, business closings and layoffs in Randolph County during 2008 affected 743 citizens countywide, and 716 citizens so far in 2009; and

WHEREAS, Randolph County's rate for families below poverty level is 13.6% as compared to the State's rate of 9.8%; and

WHEREAS, the manufacturing sector sustained its highest US job loss over the last 10 years; and

WHEREAS, manufacturing comprised 34.87% of Randolph County's workforce in 2008; and

WHEREAS, Board of County Commission approval of Recovery Zone areas is required prior to authorizing the use of either Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds; and

WHEREAS, Internal Revenue Service Notice 2009-50 (the "Notice") states that an issuer of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds can make designations of Recovery Zones in any reasonable manner as it shall determine in good faith in its discretion.

NOW THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that after a thorough review of County maps and data detailing high poverty levels, foreclosure risk, historically underutilized business zones, unemployment above the state and national average for two years, and United States Department of Housing and Urban Development low or moderate-income census tracts, and after consideration of other relevant factors, the County hereby designates Randolph County as a Recovery Zone pursuant to the Notice and the Code. The County hereby declares that such designation has been made in good faith and in a reasonable manner.

BE IT FURTHER RESOLVED that this resolution becomes effective upon its passage by the Randolph County Board of Commissioners.

Following discussion of membership structure the Board decided that the Recovery Zone Advisory Committee would consist of ten members, which would elect its own Chair.

On motion of Frye, seconded by Lanier, the Board voted unanimously to appoint a ten-member Recovery Zone Advisory Committee consisting of Commissioner Phil Kemp; Commissioner Stan Haywood; Will Massie, Assistant County Manager/Finance Officer; Bonnie Renfro, President, Randolph County EDC; Chris McLeod, Chairman, Randolph County Planning & Zoning Board and the five Commissioner District designees to be appointed by individual poll of the Board and ratified at the October meeting.

Public Hearing-EDC's Randleman Business Park

Bonnie Renfro, Randolph County Economic Development Corporation President, said the Randolph County EDC purchased a tract of land in Randleman for development of a Business Park in 2000. The development is funded by a \$1 million line of credit from local participating banks that bears interest at 0.5% below prime. Interest is paid annually on September 1. In 2000, the Board of Commissioners agreed to consider assistance with debt service on an annual basis.

During the past year, the EDC has made improvements to the park and acquired additional land using the credit line for financing both. The EDC cleared and graded a 20-acre tract and constructed a road into the site using local grading contractors. The EDC drew \$218,650 from the credit line to complete the site improvements. The EDC invested \$22,378.17 from its operating budget to fund environmental services, permitting and engineering for this project. The 20-acre tract can accommodate one or more industrial facilities totaling 350,000-400,000 square feet.

The EDC completed the purchase of the remaining land placed under option in 2000. They purchased 2.32 acres, a residence, and an adjoining one-acre tract of road frontage. The EDC borrowed \$167,620 from the line of credit for this purpose. The EDC expended \$5,012.95 from its operating budget to complete the purchase and improve the site.

West Randleman Business Park has 36.66 acres of land available. Twenty plus acres are shovel-ready for development. Site layouts show development options for multiple facilities ranging in size from 40,000 to 400,000 square feet. Rheem's distribution center is located in the park and the EDC has obtained protective covenants to ensure a quality development.

Ms. Renfro concluded by stating the balance of the credit line to be \$821,265.04, and the asking price for the graded site is \$42,000 per acre.

Ms. Renfro then requested consideration of an allocation for this year's debt service payment of \$30,712.07 to be paid from the Economic Development Reserve Fund.

At 4:42 p.m., the Board adjourned to a duly advertised public hearing. No one spoke, and Chairman Holmes closed the public hearing.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the \$30,712 payment of interest on the Randolph County EDC West Randleman Business Park and to approve Budget Amendment #3 effecting transfer from Capital Reserve Fund, as follows:

2009-2010 BUDGET ORDINANCE		
General Fund—Amendment #3		
Revenues	Increase	Decrease
<i>Transfer from Economic Development Reserve Development</i>	\$ 30,712	
Appropriations	Increase	Decrease
<i>Other Econ Development Appropriations</i>	\$ 30,712	

Approval of (Sheriff's) School Resource Officer Position and Budget Amendment

Col. Allen McNeill requested that the Sheriff's Department be allowed to hire an additional deputy as a School Resource Officer for the new Wheatmore High School, effective September 16, 2009. The school system would reimburse the County the full cost of salary and fringe benefits of the officer. The cost of outfitting the new deputy will be absorbed into this year's School Resource Budget. The total cost for this position would be \$36,476. The listed costs are for the period from September 16, 2009-June 30, 2010 and are not meant to be a yearly cost of a new S.R.O.

Salary	27,075.00
FICA	2,071.24
LEO retirement	1,315.85
401-K	1,353.75
Insurance	4,085.00
Liability	448.12
Work/Comp	<u>127.25</u>
	36,476.21

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve Budget Amendment #4 as follows, which reflects the allocation of one deputy sheriff position to serve as a School Resource Officer at Wheatmore High School:

2009-2010 BUDGET ORDINANCE		
General Fund—Amendment #4		
Revenues	Increase	Decrease
<i>Miscellaneous</i>	\$36,476	
Appropriations	Increase	Decrease
<i>Sheriff & Jail</i>	\$36,476	

Approval of Identity Theft Protection Program (Red Flag Rules Policy) for Public Works

Aimee Scotton, Associate County Attorney, presented a Red Flag Rules Policy for Public Works, stating that several federal agencies jointly issued a new set of regulations intended to help prevent, detect, and mitigate identity theft. It is a federal requirement for the County to have this policy. These regulations, known collectively as the "Red Flag Rule," require the entities they cover to develop policies and procedures to recognize and respond to circumstances that may indicate that an identity theft has occurred. These rules mostly apply to financial institutions and private creditors, but where non-profit and government entities defer payment for good or services, they too are considered to be creditors. The Public Works Department permits businesses to establish accounts that allow them to pay for waste disposal on a monthly basis, after the services have been rendered.

The Red Flag Rule requires covered creditors to implement an "Identity Theft Prevention Program," which contains reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

Ms. Scotton requested approval of this policy and to be effective September 1, 2009.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve a Red Flag Rule Policy for Identity Theft Prevention for the Public Works Department, effective September 1, 2009, as follows:

Public Works

I. PROGRAM ADOPTION

The Randolph County Public Works Department ("the Department") developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C.F.R. § 681.2. This Program was approved by the Randolph County Board of Commissioners on September 1, 2009 and is effective September 1, 2009.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling requirements of the Red Flags Rule

Under the Red Flag Rule, every creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

The Randolph County Public Works Department provides services that involve transactions in which payment is not made until after the services are rendered and therefore has "covered accounts" under this rule.

B. Red Flags Rule definitions used in this Program

The Red Flags Rule defines "**Identity Theft**" as "fraud committed using the identifying information of another person" and a "**Red Flag**" as a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.

According to the Rule, the Department is a creditor subject to the Rule requirements. The Rule defines **creditors** "to include finance companies, automobile dealers, mortgage brokers, utility

companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are to be considered creditors.”

Under the Rule, a “**covered account**” is:

1. Any account the Department offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the Department offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the Department from Identity Theft.

“**Identifying information**” is defined under the Rule as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

III. IDENTIFICATION OF RED FLAGS.

In order to identify relevant Red Flags, the Department considered the types of accounts that it offers and maintains and which of those are “covered accounts” under this Rule, the methods it provides to initiate or access its accounts, and its previous experiences with Identity Theft. The Department identifies the following red flags, in each of the listed categories:

A. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged or altered;
2. Identification document or card on which a person’s photograph or physical description is not consistent with the person presenting the document; and
3. Other document with information that is not consistent with existing customer information (such as if a person’s signature on a check appears forged).

B. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
3. Social security or credit card number presented that is the same as one given by another customer;
4. Address or telephone numbers given by a customer are the same or similar to those of other customers, particularly recent ones; and
5. A person’s identifying information is not consistent with the information that is on file for the customer.

C. Suspicious Account Activity or Unusual Use of Account

Red Flags

1. Mail sent to the account holder is repeatedly returned as undeliverable;
2. Customer notifies agency she/he is not receiving mail sent by the Department;
3. Patterns of activity on payment accounts that are inconsistent with prior history;
4. Increase in the volume of inquiries to an account;
5. Attempt to access an account by persons who cannot provide authenticating information;
6. Requests for additional authorized users on an account shortly following a change of address;
7. Nonpayment on the first payment on an account;
8. A complaint or question from a customer based on the customer's receipt of:
 - a. a bill for another individual;
 - b. a bill for service that the customer denies receiving;
9. Inactivity on an account for an unreasonably lengthy period of time.

D. Alerts from Others and Security Breaches

Red Flag

1. Notice to the Department that an account has unauthorized activity;
2. Breach in the Department's computer system activities;
3. Unauthorized access or use of customer account information;
4. Dispute of a bill by a customer who claims to be a victim of any type of Identity Theft; and
5. Notice to the Department from a customer or law enforcement that Identity Theft has occurred.

IV. PREVENTING AND MITIGATING IDENTITY THEFT

In the event that any Department employee responsible for or involved in establishing or updating "covered accounts" or accepting payment for a "covered account" becomes aware of Red Flags indicating possible identity theft, the employee shall use his or her discretion to determine whether such Red Flag or a combination of Red Flags suggest a threat of identity theft. In doing so, the employee shall consider whether the Red Flag may be accounted for by the cultural norms of the customer. If the employee, in his or her discretion, determines that identity theft or attempted identity theft is likely, the employee shall immediately report such Red Flag(s) to the Public Works Director. If the employee deems that identity theft is unlikely or that reliable information is available to reconcile the Red Flag(s), the employee shall convey that information to the Public Works Director, who at his/his discretion may determine that no further action is needed. If the Director determines that further action is needed, a Department employee shall perform one or more of the following, as determined to be appropriate by the Public Works Director:

Prevent and Mitigate

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to accounts;
4. Reopen an account with a new number;
5. Cease attempts to collect additional payment from the customer; or
6. Notify law enforcement

Protect customer identifying information

In order to further prevent the likelihood of identity theft occurring with respect to covered accounts, the Department will take the following steps with respect to its internal operating procedures to protect customer identifying information:

1. Ensure complete and secure destruction of paper documents and computer files containing customer information;
2. Ensure that office computers are password protected and that computer screens lock after a set period of time;
3. Ensure that papers containing customer information are appropriately stored and are not seen by those who should not have access;
4. Ensure computer virus protection is up to date; and
5. Require and keep only the kinds of customer information that are necessary for the provision of service or to comply with laws and regulations, including records retention schedules.

V. PROGRAM UPDATES

This Program will be annually reviewed and updated to reflect changes in risks to customers and the soundness of the Department from Identity Theft. In doing so, the Public Works Director will consider the following factors:

1. the Department's experiences with Identity Theft situations;
2. changes in Identity Theft methods;
3. changes in Identity Theft detection and prevention methods;
4. changes in types of accounts the Department maintains; and
5. changes in the Department's service provider arrangements.

After considering these factors, the Public Works Director will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Public Works Director will update the Program and share any changes with the County Manager.

VI. PROGRAM ADMINISTRATION

A. Oversight

Supervisors shall be responsible for oversight of the program and for program implementation. The Public Works Director is responsible for reviewing reports prepared by staff regarding compliance with Red Flag requirements and/or recommending changes to the program.

Supervisors shall report to the Public Works Director at least annually on compliance with the Red Flag requirements. The report will address issues such as:

1. effectiveness of the policies and procedures in addressing the risk of identity theft in connection with "covered accounts";
2. changes in service provider arrangements;
3. significant incidents involving identity theft and management's response; and
4. recommendations for changes in the program.

B. Staff Training and Reports

The Public Works Director shall be responsible for assuring that training of all Public Works Department employees responsible for or involved with "covered accounts" with respect to the implementation and requirements of the Identity Theft prevention program. The Public Works Director shall exercise discretion in determining the amount and substance of training necessary.

C. Service Provider Arrangements

In the event the Department engages a service provider to perform an activity in connection with one or more accounts, the Department will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the Department's Program and report any Red Flags to the Public Works Director.

Approval of Inter-local Agreement with Asheboro on Hwy 64 Water Line

Aimee Scotton, Associate County Attorney, stated that the agreement specifies that the County is to construct the water line, partially with funds from the USDA Rural Development agency and in consultation with the City of Asheboro making sure the specifications comply. The County will transfer ownership of the water line when completed. Asheboro will assume operations and the City will reimburse the County for all costs outside of any grants used in the construction. Twenty-five percent of what the City collects from the water sold to customers along the water service area (WSA) will be deposited into a City/County project fund. Each July, a payment will be transferred to the County. Payment amount will never fall below the first full fiscal year payment. Once paid in full, the fund will be closed.

The Commissioners expressed concern about possible annexation by the City, of any properties along the line. Ms. Scotton and County Attorney Darren Allen stated that the County has no control over a city's annexation. Ms. Scotton confirmed that the amount that the City pays each year will be set after one full fiscal year has been collected and will never drop below that amount even if Asheboro were to annex, which would initiate a reduction in water fee rates to customers. Ms. Scotton also said that any annexation would require a sewer line to be installed by the City.

On motion of Lanier, seconded by Kemp, the Board voted unanimously to adopt a Resolution approving an interlocal agreement with the City of Asheboro on the Hwy 64 water line, as follows:

RESOLUTION AUTHORIZING THE COUNTY OF RANDOLPH TO ENTER INTO AN INTERLOCAL WATER SERVICE AGREEMENT WITH THE CITY OF ASHEBORO

WHEREAS, Section 160A-461 of the North Carolina General Statutes authorizes the County and the City to enter into an agreement in order to contractually exercise public enterprise functions on behalf of each other; and

WHEREAS, Section 153A-275(a) of the North Carolina General Statutes authorizes the County to "acquire, lease as lessor or lessee, construct, establish, enlarge, improve, extend, maintain, own, operate, and contract for the operation of. . . (a water supply and distribution system) in order to furnish services to the county and its citizens;" and

WHEREAS, Section 160A-312(a) of the North Carolina General Statutes authorizes the City to "acquire, construct, establish, enlarge, improve, maintain, own, and operate" a water supply and distribution system outside of the City's corporate limits; and

WHEREAS, the County is seeking funding assistance from the North Carolina Rural Economic Development Center and from the Underground Storage Tank Fund administered by the North Carolina

Department of Environment and Natural Resources in order to extend a water main along United States Highway 64 East and certain other streets for the purpose of providing potable water that is needed due to the presence of contaminated groundwater wells; and

***WHEREAS**, the City is willing to assist with providing potable water by utilizing, in a manner that is consistent with the fiscally sound operation of its public enterprise, the existing municipal water utility to own, operate, and maintain the water main once the County has completed the construction of the proposed main.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that:*

1. An Interlocal Water Service Agreement with the City of Asheboro is hereby approved, whereby, under the terms and conditions set forth in such Agreement, the County shall construct a water main along United States Highway 64 East and certain other streets and the City shall reimburse the County for its total project costs and shall own and operate said system after its construction is complete; and

2. The Chairman of the Board of County Commissioners is hereby authorized to execute the above-referenced Interlocal Water Service Agreement.

The Commissioners inquired about what could be done with any excess funds from the grant. Ms. Scotton advised that the contract could be amended to extend the line beyond its current proposed length, if all parties agreed.

Approval of Contract Change Order for Liberty Convenience Site

Aaron Carter, Staff Engineer, stated that on July 23, 2009, Randolph County, in partnership with the Town of Liberty, completed and had the grand opening of the new solid waste convenience site in Liberty. The project broke ground on March 11, 2009.

During the course of the project, there were several changes to the original contract of \$132,582 that had to be made in order to ensure a quality, finished project that will suit and last the county for many years. These changes came in the form of additional work, which included the removal and replacement of poor structural soil, additional concrete, additional stone, and additional paving.

Due to these changes to the project, the final amount for the contract has increased by \$33,727.97. All funding was included in the FY 08-09 budget. Mr. Carter requested the Board approve the change to the original contract amount to allow payment of the final invoice for this project.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve a Contract Change Order in the amount of \$33,728 for the Liberty Convenience Site Project, as requested.

Update on Randleman Ambulance Base

County Manager Richard Wells stated that the County had received the offer and deposit from Murphy Oil for the ambulance base property located on W. Academy St. in Randleman. The offer has been duly advertised in the August 30th issues of the *Courier-Tribune* and *Greensboro News and Record*. Mr. Wells advised that Associate County Attorney Aimee Scotton had received a call regarding the governmental bidding process. Bidding could go on for some time, but when complete, Ms. Scotton will bring the final offer before the Commissioners for acceptance or rejection.

Mr. Wells said that the County has begun to look for an alternate location for the Randleman ambulance base. Brent McKinney, P.A.R.T. Executive Director, has advised the County that P.A.R.T. has an option on land owned by the State at the west end of Academy Street in Randleman, for another Park-n-Ride lot. Mr. Wells stated he has been in discussion with P.A.R.T. and the DOT about the possibility of sharing that particular property, but other locations will be investigated, as well.

Update on NC Child Support Enforcement Agency Transfer to County

County Manager Richard Wells introduced Damon Brown of the NC Child Support Enforcement Agency, Asheboro office. With the State handing over this program to each county, Chairman Holmes, Mr. Wells and Mr. Massie have initiated the planning process for the transfer. An ad-hoc committee has been established to determine the best scenario (for Randolph County) to effect this transfer. Mr. Brown stated that there are currently 12 employees on staff in the Asheboro office.

Mr. Wells stated that he was very impressed with the collection statistics of the Asheboro offices. Last year, 8.4 million dollars was collected from parents who had not been paying. Mr. Wells stated that he would keep the Board updated monthly on the planning progress of the transfer.

Adjournment

At 5:26 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Amanda W. Varner, Deputy Clerk to the Board